

RULEMAKING NOTICE FORM

Notice Number _____

Rule Number _____ Env-Ws 415

1. Agency Name & Address:

Department of Environmental Services
Water Division
29 Hazen Drive
P.O. Box 95
Concord, NH 03302-0095

2. RSA Authority: RSA 485-A:6, VIII; RSA 485-A:17, I

3. Federal Authority: _____

4. Type of Action:

Adoption _____

Amendment _____

Repeal _____

Readoption _____

Readoption w/amendment X

5. Short Title: Site Specific Rules

6. (a) Summary of what the rule says and the effect of the rule on those regulated:

The rules establish the requirements and procedures for obtaining permits under RSA 485 A:17 for activities which alter terrain and/or existing runoff conditions. They also specify the details for acceptable temporary and permanent stormwater management and erosion and sediment control during earth-disturbing activities for which a permit is required. Examples of such projects include dredging, earth moving, excavating, timber harvesting operations, and mining.

6. (b) Brief description of the groups affected:

Any person who wishes to undertake activities that will alter the terrain or surface water run-off, such as land clearing and development, timber harvesting, mining, or other such activities, may be affected by these rules.

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

Rule	Statute Rule is Intended to Implement
Env-Ws 415	RSA 485-A:17

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: Gretchen Hamel

Title: Legal Unit Administrator

Address: Department of Environmental Services
29 Hazen Drive
PO Box 95
Concord, NH 03302

Phone #: 603-271-3137

Fax#: 603-271-8805

E-mail: ghamel@des.state.nh.us

TTY/TDD Access: Relay NH 1-800-735-
2964 or dial 711 (in NH)

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **January 31, 2005**☒ Fax☒ E-mail☐ Other format (specify):

RULEMAKING NOTICE FORM - Page 2

9. Public hearing scheduled for:

Date and Time: **Tuesday, January 18, 2005, 1:00 to 4:00 p.m.**

Place: **Room 113/114; DES Offices at 29 Hazen Drive, Concord, NH**

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant)

FIS # 04:224 , dated 11/10/04

Fiscal Impact Statement for Department of Environmental Services rules governing Permits for RSA 485-A:17 Activities. [Env-Ws 415]

1. Comparison of the costs of the proposed rule(s) to the existing rule(s):

A comparison of the proposed rule to the existing rule will result in a slight reduction in cost.

2. Cite the Federal mandate. Identify the impact on state funds:

No federal mandate, no impact on state funds.

3. Cost and benefits of the proposed rule(s):

For political subdivisions, citizens and independently owned businesses, the cost of the proposed rule will be slightly less than the cost of the existing rules, since existing rule required two copies of plans to be submitted whereas the proposed rule require only the one copy as required by the statute.

A. To State general or State special funds:

None.

B. To State citizens and political subdivisions:

See 3. above.

C. To Independently owned businesses:

See 3. above.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

The rules do not violate Article 28-a because any costs to political subdivisions are attributable to the statute not the rules.